

E-FILED on 1/12/06

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SUSANNE M. PALMER,

Plaintiff,

v.

I.C. SYSTEM, INC.; B. BROWN., and DOES
1 through 20,

Defendants.

No. C-04-03237 RMW

ORDER GRANTING DEFENDANT I.C.
SYSTEMS, INC., LEAVE TO FILE MOTION
FOR RECONSIDERATION AND SETTING
BRIEFING SCHEDULE

[Re Docket No. 124]

On November 8, 2005, this court issued an order which, *inter alia*, granted plaintiff Susanne Palmer summary judgment against I.C. Systems, Inc., on her claim that I.C. Systems failed to report a debt as disputed, in violation of 15 U.S.C. § 1692e(8). I.C. Systems has moved for reconsideration of that order,¹ claiming that (1) this court erroneously determined that Palmer's complaint could be read to allege a claim for failing to report a debt as disputed, in violation of 15 U.S.C. § 1692e(8), (2) the evidence submitted was insufficient to grant Palmer summary judgment on her claim for failing to report a debt as disputed, and (3) I.C. Systems should be granted leave to present a defense

¹ Civil L.R. 7-9(a) requires a party to obtain leave of court before filing a motion for reconsideration. Civil L.R. 7-9(b) specifies the form and content of such a motion for leave. The court will consider I.C. System's motion for reconsideration even though I.C. Systems has not followed the proper procedure under the Local Rules.

1 under 15 U.S.C. § 1692k(c). As it appears I.C. Systems' arguments have substantial merit
2 (particularly the first two), the court grants I.C. Systems leave to file a motion for reconsideration
3 (which it has already done). Palmer may file an opposition to I.C. System's motion within ten days
4 of the date of this order, at which time the matter will be deemed submitted absent further order of
5 the court.

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8 DATED: 1/12/06

/s/ Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

